

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION**

DEDRICK BARON MOODY

CIVIL ACTION NO.: 20-1317

VERSUS

UNASSIGNED DISTRICT JUDGE

CITY OF CARENCRO, ET AL

MAGISTRATE JUDGE: _____

COMPLAINT FOR DAMAGES

The complaint of **DEDRICK BARON MOODY**, a person of the full age and majority and a domiciliary of Lafayette Parish, Louisiana, with respect represents:

1.

Made defendant to this lawsuit are **CITY OF CARENCRO**, a political subdivision in the State of Louisiana, who may be served through its most Honorable Mayor; Glenn Brasseaux, **TRENT WALKER**, a resident of full age and majority and domiciled in Lafayette Parish, Louisiana, **JMG REALTY, INC. OF GEORGIA**, a foreign corporation doing business in the State of Louisiana and **STATE FARM FIRE AND CASUALTY COMPANY**. Defendants are liable unto petitioner for the full amount of his damages together with legal interest from the date of judicial demand until paid and for all costs of these proceedings for the following reasons:

2.

This action is brought pursuant to 42 U.S.C. SS 1983 and 1988 and the Fourth and Fourteenth Amendments to the United States' Constitution.

3.

Jurisdiction of this Court is founded upon 28 U.S.C. SS 1331 and 1343(a)(3).

4.

Plaintiff further invokes the pendant jurisdiction of this Court to consider related state claims arising under state statutory and common law and the Constitution of the State of Louisiana.

5.

At all times relevant to this lawsuit, defendant, **CITY OF CARENCRO**, operated a municipal law enforcement department, with an elected Police Chief and various officers, **TRENT WALER**, who is one of the officers is also named as defendant herein.

6.

At all times relevant to this lawsuit, the individual officer involved in this matter was a Police Officer hired by defendant, **CITY OF CARENCRO** and **JMG REALTY, INC. OF GEORGIA**, who was, at all times, acting within the course and scope of his employment with both the **CITY OF CARENCRO** and **JMG REALTY, INC. OF GEORGIA**.

7.

At all material times herein **STATE FARM FIRE AND CASUALTY COMPANY** was the liability insurer of **TRENT WALKER** in connection with his employment as security guard for **JMG REALTY, INC. OF GEORGIA**.

8.

Defendants, **CITY OF CARENCRO, TRENT WALKER, JMG REALTY, INC. OF GEORGIA** and **STATE FARM FIRE AND CASUALTY COMPANY**, are liable to the petitioner for damages, together with legal interest from date of judicial demand and for all costs for these proceedings, for the following reasons, to-wit:

9.

On or about October 18, 2019, in the mid-afternoon hours, petitioner, **DEDRICK BARON MOODY**, was sitting near the pool area at the French Colony Apartments, where **JMG REALTY, INC. OF GEORGIA** owns and/or operates those apartments and where complainant resides. **DEDRICK BARON MOODY**, was approached by **TRENT WALKER**; Carencro City Police Officer and **JMG REALTY, INC. OF GEORGIA** security guard.

10.

Defendant, **TRENT WALKER**, told plaintiff to vacate the pool area, and negligently and forcefully, grabbed petitioner and twisted his left wrist breaking it in several places.

11.

As a result of the incident, petitioner, **DEDRICK BARON MOODY**, suffered severe personal injury and damages, including, but no limited to the following:

- 1). Past, present and future medical expenses;
- 2). Past, present and future pain and suffering;
- 3). Mental anguish and fright; and
- 4). Scarring and disfigurement.

12.

Defendants, **CITY OF CARENCRO, TRENT WALKER, JMG REALTY, INC. OF GEORGIA** and **STATE FARM FIRE AND CASUALTY COMPANY**, are liable unto petitioner for all damages to plaintiff's person sustained as a result of the incident, both general and special.

13.

The conduct of the defendants, **CITY OF CARENCRO, JMG REALTY, INC., STATE FARM FIRE AND CASUALTY COMPANY, JMG REALTY, INC. OF GEORGIA**, and it's employee, **TRENT WALKER**, were deliberate and rose to the level of callous indifference and was the proximate cause of the violation of plaintiff's federally protected rights entitling him to an award of damages.

14.

Plaintiff alleges on information and belief, that at the time of the incident described **TRENT WALKER** was covered by a liability insurance policy issued by **STATE FARM FIRE AND CASUALTY COMPANY**, which policy was then in full force and effect by virtue of the payment of premiums and otherwise.

15.

Plaintiff is a poor person of this community without assets of any means and is unable to furnish court cost in advance or as they accrue and is further unable to furnish bond for said costs and therefore desires to file these proceedings in accordance with Louisiana Code of Civil Procedure Article 5181 et seq., which provides for *suits in forma pauperis*.

WHEREFORE, premises considered, plaintiff, **DEDRICK BARON MOODY**, prays that:

1. The defendant, **CITY OF VILLE PLATTE, JMG REALTY, INC. OF GEORGIA, TRENT WALKER, AND STATE FARM FIRE AND CASUALTY COMPANY**
be cited and served to appear and answer this complaint.
2. That plaintiff be allowed to proceed *in forma pauperis*;

3. That after all legal delays have run and all proceedings are had, there be judgment in favor of petitioner and against defendants granting plaintiff all damages that are just and reasonable in these proceedings;
4. For all just and equitable relief in the premises; and

RESPECTFULLY SUBMITTED:

BY: 

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PLEASE SERVE:

**CITY OF CARENCRO
THROUGH ITS MOST HONORABLE
MAYOR, GLENN BRASSEAU**

**TRENT WALKER
315 AMESBERY DRIVE. APT. 324
LAFAYETTE, LA 70507
OR AT CARENCRO POLICE DEPARTMENT**

**JMG REALTY, INC. OF GEORGIA
THROUGH ITS AGENT FOR SERVICE OF PROCESS
CORPORATION SERVICE COMPANY
501 LOUISIANA AVE.
BATON ROUGE, LA 70802**

**STATE FARM AND FIRE CASUALTY COMPANY
THROUGH ITS AGENT FOR SERVICE OF PROCESS
LOUISIANA SECRETARY OF STATE
8585 ARCHIVES AVE.
BATON ROUGE, LA 70809**